



UNITED STATES PATENT AND TRADEMARK OFFICE

18
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/466,521	12/17/1999	DARRYL GAMEL	96794DIV1	1283

7590 12/12/2002

MICHAEL C ANTONE
KIRKPATRICK & LOCKHART LLP
1500 OLIVER BUILDING
PITTSBURGH, PA 15222

EXAMINER

CHANG, RICK KILTAE

ART UNIT

PAPER NUMBER

3729

DATE MAILED: 12/12/2002
26

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/466,521	GAMEL ET AL. <i>Cr</i>
	Examiner	Art Unit
	Rick K. Chang	3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 01 October 2002.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 77-90 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 77-90 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) Interview Summary (PTO-413) Paper No(s) _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 77-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janisiewicz et al (US 5,040,291) in view of Livengood et al (US 5,805,421), and further in view of Harada (US 4,675,993) and Farnworth et al (US 6,492,187).

Janisiewicz discloses in Fig. 2 a component feed source, 32 and 34 heads, except for fiducial markers and an optical fiducial marker detector and a controller.

Livengood discloses fiducial markers (corresponds to the bond pads or leads of IC device) and comparing steps thereby correctly positioning components on printed circuit boards.

Harada discloses a printed fiducial marker detector (col. 6, line 16), comparing steps and a controller thereby accurately imaging components for digitization and placement.

Farnworth discloses an optical fiducial marker detector (col. 9, lines 25-39) thereby determining a component's exact position.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janisiewicz by providing fiducial markers and comparing steps, as taught by Livengood, for the purpose of correctly positioning components on printed circuit boards.

Further, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janisiewicz by providing a printed fiducial marker detector,

comparing steps and a controller, as taught by Harada, for the purpose of correctly positioning components on printed circuit boards.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janisiewicz by providing an optical fiducial marker detector, as taught by Farnsworth, for the purpose of determining a component's exact position.

Response to Arguments

3. Applicant's arguments filed October 1, 2002 have been fully considered but they are not persuasive.

Farnsworth discloses an optical fiducial marker detector (col. 9, lines 25-39) thereby determining a component's exact position. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janisiewicz by providing an optical fiducial marker detector, as taught by Farnsworth, for the purpose of determining a component's exact position.

Interviews After Final

4. **Applicant note that an interview after a final rejection will not be granted unless the intended purpose and content of the interview is presented briefly, in writing (the agenda of the interview must be in writing) to clarify issues for appeal requiring only nominal further consideration. Interviews merely to restate arguments of record or to discuss new limitations will be denied. See MPEP 714.13 and 713.09.**

Conclusion

5. **Applicants are duly reminded that a full and proper response to this Office Action that includes any amendment to the claims and specification of the application as originally**

filed requires that the applicant point out the support for any amendment made to the disclosure, including the claims. See 37 CFR 1.111 and MPEP 2163.06.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

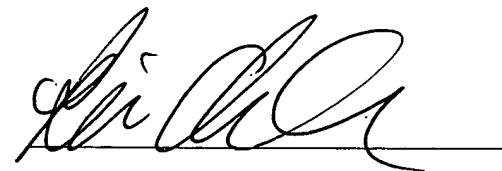
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick K. Chang whose telephone number is (703) 308-4784. The examiner can normally be reached on 5:30 AM to 1:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter D. Vo can be reached on (703) 308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

Application/Control Number: 09/466,521
Art Unit: 3729

Page 5



RICHARD CHANG
PRIMARY EXAMINER

RC
December 10, 2002